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WATER QUALITY: PUBLIC NOTIFICATION

House Bill 4222

Sponsor: Rep. Rose Bogardus
**Committee: Conservation and Outdoor
Recreation**

Complete to 4-14-99

A SUMMARY OF HOUSE BILL 4222 AS INTRODUCED 2-9-99

Currently, under Part 31 of the Natural Resources and Environmental Protection Act (NREPA), an individual requesting a new or increased wastewater discharge permit must file an application with the Department of Environmental Quality (DEQ) that specifies, among other things, the nature of the enterprise or development, the proposed point of discharge of the wastes into state waters, and a statement outlining the expected bacterial, physical, chemical, and other known characteristics of the wastes. The department has up to 180 days to grant or deny a permit, and may condition the permit upon the restrictions that it considers necessary to adequately guard against unlawful uses of state waters. House Bill 4222 would amend the act to require that, before granting a permit or certificate of coverage for a sewage or anaerobic (one that allows bacteria to exist without oxygen) lagoon that serves a residential area, the department would have to fulfill certain public notice and hearing requirements. Upon receiving a completed application, the department would be required to:

- Mail a notice of a permit application by first class mail to the chief executive officer of each municipality that would be affected by the proposed permit.
- Notify the health department of each municipality that is contiguous to the pond or lake, if the permit application is for a discharge site in a pond or lake, and each municipality that is downstream from a proposed discharge site in a creek, stream, or river; and publish notice of the permit application in the local newspapers and the newspapers of general circulation in each municipality. In addition, the DEQ would be required to promulgate rules, based on scientific data, establishing the criteria for determining when a municipality should be considered affected by the granting of a permit.
- Hold a public hearing in the areas affected by the requested permit, including those that are downstream of the requested discharge site, if a request for hearing is received within 60 days after the public notice is last published.

MCL 324.3113 et al.

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.